



Patent
Serial No. 10//685,536
Docket No. 12804-100001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Damian Franken Manning, *et al.*

Serial No: 10/685,536

Filed: October 16, 2003

For: ELECTRONIC MEDIA DISTRIBUTION SYSTEM

Art Unit: 2136

Examiner: David Garcia Cervetti

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

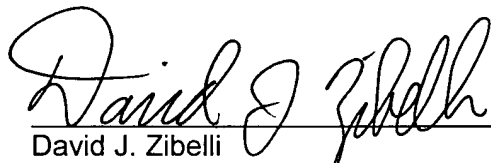
ATTENTION: Board of Patent Appeals and Interferences

Sir:

Attached hereto is Appellants' Brief for the above-referenced application. The Commissioner is authorized to charge the requisite fee \$250.00 (37 CFR 1.17(c) and all other fees associated with this submission, to Deposit Account No. 11-0600.

Respectfully submitted,

Date: January 31, 2007

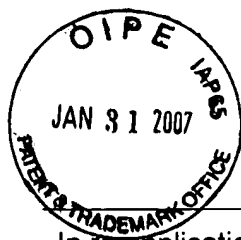

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PATENT

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APPEAL BRIEF UNDER 37 CFR 41.37

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ATTENTION: Board of Patent Appeals and Interferences

Sir:

Appellants submit this Appeal Brief in the above-referenced application. A Notice of Appeal was filed on October 31, 2006, and authorization to charge a small entity extension of time to deposit account 11-0600 is hereby given.

REAL PARTY IN INTEREST

LMP Media LLC is the real party in interest for all issues related to this application by virtue of an assignment filed with the USPTO and recorded at reel 014617, frame 0875.

RELATED APPEALS OR INTERFERENCES

There are no other appeals, interferences, or judicial proceedings known to Appellants, Appellants' legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

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STATUS OF CLAIMS

This application contains claims 1-65. Claims 1-65 stand finally rejected as obvious over prior art.

STATUS OF AMENDMENTS

An amendment after final was filed on September 26, 2006 making a clarifying amendment to claim 6. The October 12, 2006 Advisory Action indicates that the claim amendment will not be entered because it raises new issues. Accordingly, this appeal is proceeding without the September 26, 2006 amendment being entered.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 recites a method for sharing information, including: receiving sending instructions to transfer to a recipient a file (sender instructions generate user parameters, which are sent to server 106, regarding a file to be transferred to a recipient, [0007], Fig. 1), said sending instructions identifying a specific type of memory device on which the file is permitted to be stored at the recipient (sending user specifies the type of memory device the content can be stored on, [0029]); receiving the file (content is sent from sender to server, [0014], Fig. 2); sending a notice to the recipient indicating that the recipient may download the file (notice sent to recipient, [0011], [0014], Fig. 2); receiving a request for the file from the recipient (recipient sends message to server to deliver content, [0014], Fig. 2); determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient (server determines if appropriate recipient software, [0014], Fig. 2); if transfer software is not installed at the recipient, then sending the transfer software to the recipient ([0014]); and sending the file to the recipient to be stored on the specific type of memory device only if the transfer software to install only to the specific type of memory device is installed ([0014], [0029]).

Independent claim 12 recites a method for sharing information, including: receiving at least one criterion that a memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device (sending user specifies the type of memory device the content can be stored on, [0029], Fig. 2); receiving a

digital rights management control associated with the information (DRM applied to content, [0016], Fig. 2); sending a notice to the recipient indicating that the recipient may obtain the information (notice sent to recipient, [0011], [0014], Fig. 2); receiving a request for the information from the recipient (recipient sends message to server to deliver content, [0014], Fig. 2); sending the file to the recipient to be stored on the memory device, if the second memory device has the one or more criteria ([0014], [0029]).

Independent claim 20 recites an apparatus for sharing information, including: a processor (processor 107, [0011], Fig. 1); and a memory coupled to said processor, said memory storing instructions adapted to be executed by said processor to perform steps (memory 108 stores instructions to be executed by processor 107, [0011]) including receiving sending instructions to transfer to a recipient a file (sender instructions generate user parameters, which are sent to server 106, regarding a file to be transferred to a recipient, [0007], Fig. 1), said sending instructions identifying a specific type of memory device on which the file is permitted to be stored at the recipient (sending user specifies the type of memory device the content can be stored on, [0029]), receiving the file (content is sent from sender to server, [0014], Fig. 2), sending a notice to the recipient indicating that the recipient may download the file (notice sent to recipient, [0011], [0014], Fig. 2), receiving a request for the file from the recipient (recipient sends message to server to deliver content, [0014], Fig. 2), determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient (server determines if appropriate recipient software, [0014], Fig. 2), if transfer software is not installed at the recipient, then sending the transfer software to the recipient ([0014]), and sending the file to the recipient to be stored on the specific type of memory device only if the transfer software to install only to the specific type of memory device is installed ([0014], [0029]).

Independent claim 31 recites an apparatus for sharing information, including: a processor (processor 107, [0011], Fig. 1); and a memory coupled to said processor, said memory storing instructions adapted to be executed by said processor to perform steps (memory 108 stores instructions to be executed by processor 107, [0011], Fig. 1) including receiving at least one criterion that a memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory

device (sending user specifies the type of memory device the content can be stored on, [0029], Fig. 2), receiving a digital rights management control associated with the information (DRM applied to content, [0016], Fig. 2), sending a notice to the recipient indicating that the recipient may obtain the information (notice sent to recipient, [0011], [0014], Fig. 2), receiving a request for the information from the recipient (recipient sends message to server to deliver content, [0014], Fig. 2), and sending the file to the recipient to be stored on the memory device if the memory device has the one or more criteria (the server sends the content to the recipient if the recipient has the criteria, [0014], [0029]).

Independent claim 39 recites medium storing instructions adapted to be executed by a processor to perform steps (memory 108 stores instructions to be executed by processor 107, [0011], Fig. 1) including: receiving sending instructions to transfer to a recipient a file (sender instructions generate user parameters, which are sent to server 106, regarding a file to be transferred to a recipient, [0007], Fig. 1), said sending instructions identifying a specific type of memory device on which the file is permitted to be stored at the recipient (sending user specifies the type of memory device the content can be stored on, [0029]); receiving the file (content is sent from sender to server, [0014], Fig. 2); sending a notice to the recipient indicating that the recipient may download the file (notice sent to recipient, [0011], [0014], Fig. 2); receiving a request for the file from the recipient (recipient sends message to server to deliver content, [0014], Fig. 2); determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient (server determines if appropriate recipient software, [0014], Fig. 2); if transfer software is not installed at the recipient, then sending the transfer software to the recipient ([0014]); and sending the file to the recipient to be stored on the second memory device only if the transfer software to install only to the specific type of memory device is installed ([0014], [0029]).

Independent claim 50 recites a medium storing instructions adapted to be executed by a processor to perform steps (memory 108 stores instructions to be executed by processor 107, [0011], Fig. 1) including: receiving at least one criterion that a memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device (sending user specifies the type of memory device the content can be stored on, [0029], Fig. 2); receiving a digital rights management control associated with the information (DRM applied to content, [0016], Fig. 2); sending a notice to the recipient indicating that the

recipient may obtain the information (notice sent to recipient, [0011], [0014], Fig. 2); receiving a request for the information from the recipient (recipient sends message to server to deliver content, [0014], Fig. 2); sending the file to the recipient to be stored on the memory device, if the memory device has the one or more criteria (the server sends the content to the recipient if the recipient has the criteria, [0014], [0029]).

Independent claim 58 recites a system for sharing a piece of electronic content, including: means for receiving a criterion that a recipient memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device (memory 108 receives and stores instructions to be executed by processor 107, [0011], Fig. 1, and sending user specifies the type of memory device the content can be stored on, [0029], Fig. 2); receiving a digital rights management control that is associated with the content; means for notifying a recipient that the content has been made available to the recipient (memory 108 receives and stores DRM applied to content, [0016], Fig. 2); means for receiving a request from the recipient for the content (recipient sends message to server to deliver content, [0014], Fig. 2); and means for sending the content to the recipient to be stored on the recipient memory device if the recipient memory device has the criterion (the server sends the content to the recipient if the recipient has the criterion, [0014], [0029]).

GROUND OF REJECTION TO BE REVIEWED

The Final Rejection rejects claims 1-4, 12, 20-23, 31, 39-42, 50 and 58 under 35 USC 103 over Tadayon (US Pat Pub. 2002/0184156) in view of Brody (US Pat Pub. 2001/0051928), Collins (US Pat. 6,138,153) and Sato (US Pat. Pub 2003/0041123), and rejects claims 5-11, 13-19, 24-30, 32-38, 43-49, 51-57 and 59-65 under 35 USC 103 over Tadayon, Brody, Collins, Sato and further in view of Stefik (US Pat. 6,920,436).

ARGUMENT

The Final Rejection fails to demonstrate that any of the pending claims are obvious. Details of these arguments are presented below.

The Claims are Not Obvious

Independent claims 1, 20 and 39 all recite “determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient” and “sending the file to the recipient to be stored on the specific type of memory device only if the transfer software to install only to the specific type of memory device is installed.” None of the applied references disclose or suggest these novel features. In particular, the applied references do not determine if transfer software to transfer the file only to the specific type of memory device is installed at the recipient, nor do they disclose or suggest sending the file to the recipient to be stored on the specific type of memory device only if the transfer software to install only to the specific type of memory device is installed.

The Final Rejection admits that Tadayon does not disclose determining whether certain software is installed, but asserts that Collins teaches determining whether transfer software is installed and Sato teaches recording only to a specific type of memory if the software is installed. Even if Collins did disclose determining whether transfer software is installed, such would not be a disclosure of “determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient” as required by the claims. Collins does not disclose anything about transfer software to transfer the file only to the specific type of memory device is installed at the recipient. Sato does not solve this deficiency as discussed below.

The Final Rejection refers to Sato as “recording to only a specific type of memory if the software is installed.” However this is not the feature recited in the claims. Instead, the claims recite “determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient.” Sato does not disclose or suggest “determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient” as required the claims.

Instead, Sato discloses that a record company A produces the package media M each composed of a suitably packaged optical disc 2 to which desired content data downloaded from the server 20 may be recorded by a user terminal 30 set up by the user D. Each package M may be various type of media such as CD-R, CD-RW, DVD-R, DVD-RW or a Blue-ray disc.

See [0032] and [0033]. A server 20 which sends content to be recorded on the media M includes a judging unit 25 that judges whether the user D accessing the server 20 has a legitimately purchased package medium M. The judging unit 25 determines whether the optical disc 2 loaded by the user D into the user terminal 30 is a legitimate disc based on the disc ID data sent from the terminal 30, and will transfer data only if it can confirm the disc ID data.

Thus, Sato does not disclose "determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient" as required by the claims, but instead looks for specific disc ID data to determine whether to transfer the data, and will transfer the data no matter what type of memory device is present as long as the disc ID data is correct. The type of media or memory device is irrelevant to Sato, the only item checked is the disc ID data. In fact, Sato teaches that the media could be any one of numerous types, such as such as CD-R, CD-RW, DVD-R, DVD-RW or a Blue-ray disc, and does not disclose checking to see which type of memory device is installed.

Further, Sato does not "send the file to the recipient to be stored on the specific type of memory device only if the transfer software to install only to the specific type of memory device is installed", as required by claims 1, 20 and 39 of the application. Instead, as described above, Sato will transfer the data as long as the specific disc ID is present. The recipient device in Sato could have transfer software to transfer data to many or all types of memory devices, and the data would still be transferred as long as the specific disc ID were present. None of the other applied references remedy these deficiencies in Sato and Collins.

Accordingly, claims 1, 20 and 39, and all claims dependent therefrom, would not have been obvious over the applied references.

Independent claim 12 recites "receiving at least one criterion that a memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device" and "sending the file to the recipient to be stored on the memory device, if the second memory device has the one or more criteria." Independent claims 31, 50 and 58 contain substantially the same features. It is respectfully asserted the applied references do not disclose or suggest these novel features. In particular, the applied references do not receive at least one criterion that a memory device at a recipient must have to

store information to be sent from a sender, the at least one criterion being a type of the memory device, nor do they disclose or suggest sending the file to the recipient to be stored on the second memory device, if the second memory device has the one or more criteria as required by these claims.

The Final Rejection again refers to Sato as disclosing the feature of sending only if a memory device has a criteria. However, as explained above, Sato checks to see if the ID is correct, but never checks as to the criteria being the type of the memory device as required by the claims. The other references fail to remedy this deficiency. Accordingly, claims 12, 31, 50 and 58, and all claims dependent therefrom, would not have been obvious over the applied references.

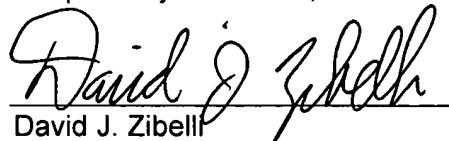
CONCLUSION

Appellant respectfully requests reversal of the rejections of claims 1-65. These claims are allowable over the cited art.

Date: January 31, 2007

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "David J. Zibelli", is written over a horizontal line.

David J. Zibelli
Registration No. 36,394

CLAIMS APPENDIX

1. A method for sharing information, including:

receiving sending instructions to transfer to a recipient a file, said sending instructions identifying a specific type of memory device on which the file is permitted to be stored at the recipient;

receiving the file;

sending a notice to the recipient indicating that the recipient may download the file;

receiving a request for the file from the recipient;

determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient;

if transfer software is not installed at the recipient, then sending the transfer software to the recipient; and

sending the file to the recipient to be stored on the specific type of memory device only if the transfer software to install only to the specific type of memory device is installed.

2. The method of claim 1, wherein the sending instructions identify the specific type of memory device to be a CD-ROM.

3. The method of claim 1, wherein the sending instructions identify the specific type of memory device to be flash memory.

4. The method of claim 1, wherein the sending instructions further identify a digital rights management control to be applied to the file.

5. The method of claim 4, wherein the digital rights management control indicates that no copy may be made of the file from the specific type of memory device.

6. The method of claim 4, wherein the digital rights management control indicates that no more than a given number of copies may be made of the file from the second memory device.

7. The method of claim 4, wherein the digital rights management control indicates that no copy may be made of the file from the specific type of memory device if the number of outstanding copies already made of the file from the specific type of memory device is equal to a given number.

8. The method of claim 4, wherein the digital rights management control indicates a maximum number of times the copy can be used is equal to a given number.

9. The method of claim 4, wherein the digital rights management control indicates a fee amount to be charged to the recipient based upon the use of the copy stored at the specific type of memory device.

10. The method of claim 4, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of the copy stored at the specific type of memory device.

11. The method of claim 4, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of a copy derived from the copy of the file stored at the specific type of memory device.

12. A method for sharing information, including:

receiving at least one criterion that a memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device;

receiving a digital rights management control associated with the information;

sending a notice to the recipient indicating that the recipient may obtain the information;

receiving a request for the information from the recipient;

sending the file to the recipient to be stored on the memory device, if the second memory device has the one or more criteria.

13. The method of claim 12, wherein the digital rights management control indicates that no copy may be made of the file from the memory device.

14. The method of claim 12, wherein the digital rights management control indicates that no more than a given number of copies may be made of the file from the memory device.

15. The method of claim 12, wherein the digital rights management control indicates that no copy may be made of the file from the memory device if the number of outstanding copies already made of the file from the memory device is equal to a given number.

16. The method of claim 12, wherein the digital rights management control indicates a maximum number of times the copy can be used is equal to a given number.

17. The method of claim 12, wherein the digital rights management control indicates a fee amount to be charged to the recipient based upon the use of the copy stored at the memory device.

18. The method of claim 12, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of the copy stored at the memory device.

19. The method of claim 12, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of a copy derived from the copy of the file stored at the memory device.

20. An apparatus for sharing information, including:

a processor; and

a memory coupled to said processor, said memory storing instructions adapted to be executed by said processor to perform steps including receiving sending instructions to transfer to a recipient a file, said sending instructions identifying a specific type of memory device on which the file is permitted to be stored at the recipient, receiving the file, sending a notice to the recipient indicating that the recipient may download the file, receiving a request for the file from the recipient, determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient, if transfer software is not installed at the recipient, then sending the transfer software to the recipient, and sending the file to the recipient

to be stored on the specific type of memory device only if the transfer software to install only to the specific type of memory device is installed.

21. The apparatus of claim 20, wherein the sending instructions identify the specific type of memory device to be a CD-ROM.

22. The apparatus of claim 20, wherein the sending instructions identify the specific type of memory device to be flash memory.

23. The apparatus of claim 20, wherein the sending instructions further identify a digital rights management control to be applied to the file.

24. The apparatus of claim 23, wherein the digital rights management control indicates that no copy may be made of the file from the specific type of memory device.

25. The apparatus of claim 23, wherein the digital rights management control indicates that no more than a given number of copies may be made of the file from the specific type of memory device.

26. The apparatus of claim 23, wherein the digital rights management control indicates that no copy may be made of the file from the specific type of memory device if the number of outstanding copies already made of the file from the specific type of memory device is equal to a given number.

27. The apparatus of claim 23, wherein the digital rights management control indicates a maximum number of times the copy can be used is equal to a given number.

28. The apparatus of claim 23, wherein the digital rights management control indicates a fee amount to be charged to the recipient based upon the use of the copy stored at the specific type of memory device.

29. The apparatus of claim 23, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of the copy stored at the specific type of memory device.

30. The apparatus of claim 23, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of a copy derived from the copy of the file stored at the specific type of memory device.

31. An apparatus for sharing information, including:

a processor; and

a memory coupled to said processor, said memory storing instructions adapted to be executed by said processor to perform steps including receiving at least one criterion that a memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device, receiving a digital rights management control associated with the information, sending a notice to the recipient indicating that the recipient may obtain the information, receiving a request for the information from the recipient and sending the file to the recipient to be stored on the memory device if the memory device has the one or more criteria.

32. The apparatus of claim 31 wherein the digital rights management control indicates that no copy may be made of the file from the memory device.

33. The apparatus of claim 31, wherein the digital rights management control indicates that no more than a given number of copies may be made of the file from the memory device.

34. The apparatus of claim 31, wherein the digital rights management control indicates that no copy may be made of the file from the memory device if the number of outstanding copies already made of the file from the second memory device is equal to a given number.

35. The apparatus of claim 31, wherein the digital rights management control indicates a maximum number of times the copy can be used is equal to a given number.

36. The apparatus of claim 31, wherein the digital rights management control indicates a fee amount to be charged to the recipient based upon the use of the copy stored at the memory device.

37. The apparatus of claim 31, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of the copy stored at the memory device.

38. The apparatus of claim 31, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of a copy derived from the copy of the file stored at the memory device.

39. A medium storing instructions adapted to be executed by a processor to perform steps including:

receiving sending instructions to transfer to a recipient a file, said sending instructions identifying a specific type of memory device on which the file is permitted to be stored at the recipient;

receiving the file;

sending a notice to the recipient indicating that the recipient may download the file;

receiving a request for the file from the recipient;

determining if transfer software to transfer the file only to the specific type of memory device is installed at the recipient;

if transfer software is not installed at the recipient, then sending the transfer software to the recipient; and

sending the file to the recipient to be stored on the second memory device only if the transfer software to install only to the specific type of memory device is installed.

40. The medium of claim 39, wherein the sending instructions identify the specific type of memory device to be a CD-ROM.

41. The medium of claim 39, wherein the sending instructions identify the specific type of memory device to be flash memory.

42. The medium of claim 39, wherein the sending instructions further identify a digital rights management control to be applied to the file.

43. The medium of claim 42, wherein the digital rights management control indicates that no copy may be made of the file from the specific type of memory device.

44. The medium of claim 42, wherein the digital rights management control indicates that no more than a given number of copies may be made of the file from the specific type of memory device.

45. The medium of claim 42, wherein the digital rights management control indicates that no copy may be made of the file from the specific type of memory device if the number of outstanding copies already made of the file from the specific type of memory device is equal to a given number.

46. The medium of claim 42, wherein the digital rights management control indicates a maximum number of times the copy can be used is equal to a given number.

47. The medium of claim 42, wherein the digital rights management control indicates a fee amount to be charged to the recipient based upon the use of the copy stored at the specific type of memory device.

48. The medium of claim 42, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of the copy stored at the specific type of memory device.

49. The medium of claim 42, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of a copy derived from the copy of the file stored at the specific type of memory device.

50. A medium storing instructions adapted to be executed by a processor to perform steps including:

receiving at least one criterion that a memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device;

receiving a digital rights management control associated with the information;

sending a notice to the recipient indicating that the recipient may obtain the information;

receiving a request for the information from the recipient;

sending the file to the recipient to be stored on the memory device, if the memory device has the one or more criteria.

51. The medium of claim 50, wherein the digital rights management control indicates that no copy may be made of the file from the memory device.

52. The medium of claim 50, wherein the digital rights management control indicates that no more than a given number of copies may be made of the file from the memory device.

53. The medium of claim 50, wherein the digital rights management control indicates that no copy may be made of the file from the memory device if the number of outstanding copies already made of the file from the memory device is equal to a given number.

54. The medium of claim 50, wherein the digital rights management control indicates a maximum number of times the copy can be used is equal to a given number.

55. The medium of claim 50, wherein the digital rights management control indicates a fee amount to be charged to the recipient based upon the use of the copy stored at the memory device.

56. The medium of claim 50, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of the copy stored at the memory device.

57. The medium of claim 50, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of a copy derived from the copy of the file stored at the memory device.

58. A system for sharing a piece of electronic content, including:

means for receiving a criterion that a recipient memory device at a recipient must have to store information to be sent from a sender, the at least one criterion being a type of the memory device;

receiving a digital rights management control that is associated with the content;

means for notifying a recipient that the content has been made available to the recipient;

means for receiving a request from the recipient for the content; and

means for sending the content to the recipient to be stored on the recipient memory device if the recipient memory device has the criterion.

59. The system of claim 58, wherein the digital rights management control indicates that no copy may be made of the file from the second memory device.

60. The system of claim 58, wherein the digital rights management control indicates that no more than a given number of copies may be made of the file from the recipient memory device.

61. The system of claim 58, wherein the digital rights management control indicates that no copy may be made of the file from the recipient memory device if the number of outstanding copies already made of the file from the recipient memory device is equal to a given number.

62. The system of claim 58, wherein the digital rights management control indicates a maximum number of times the copy can be used is equal to a given number.

63. The system of claim 58, wherein the digital rights management control indicates a fee amount to be charged to the recipient based upon the use of the copy stored at the recipient memory device.

64. The system of claim 58, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of the copy stored at the recipient memory device.

65. The system of claim 58, wherein the digital rights management control indicates an amount to be credited to the recipient based upon the use of a copy derived from the copy of the file stored at the recipient memory device.

EVIDENCE APPENDIX

No evidence under 37 CFR 1.130, 1.131 or 1.132 was submitted in this application.

RELATED APPEALS APPENDIX

There are no other appeals, interferences, or judicial proceedings known to Appellants, appellants' legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.